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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

ADAM CHARLES NIMMER

Debtor

MICHAEL PUGLIA, an individual; and SLR ENERGY, INC.,
a Nevada corporation;

Plaintiffs,

vs.

ADAM CHARLES NIMMER, an individual,

Defendant.

BK Case No.: 22-11364-abl
Chapter 7

Adversary No.: 22-01123-abl

STIPULATED DISCOVERY PLAN AND SCHEDULING ORDER SUBMITTED

IN COMPLIANCE WITH LR 7026(c)

Plaintiffs MICHAEL PUGLIA, an individual; and SLR ENERGY, INC., a Nevada corporation; (“Plaintiffs”) and Defendant ADAM CHARLES NIMMER (“Defendant, and collectively with Plaintiffs, the “Parties”), by and through their counsel of record, hereby submit their stipulated Discovery Plan and Scheduling Order pursuant to Federal Rule of Civil Procedure 26, made applicable through Federal Rule of Bankruptcy Procedure 7026 and LR 7026(c). It is hereby requested that the Court enter the following discovery plan and scheduling order:

1. Discovery Plan:

Discovery Cut-Off **9/29/2023**, because there are still State Court issues pending, the parties have agreed to the above discovery cut-off.

Deadline to Amend Pleadings **7/1/2023** (90 days prior to the close of discovery)

Deadline to Disclose Initial Expert **7/31/2023** (60 days prior to the close of discovery)

Deadline to Disclose Rebuttal Expert **8/30/2023** (30 days after Disclosures of the Initial Disclosure of Experts)

Deadline to File Dispositive Motions **10/30/2023** (30 days after the close of discovery)

2. Interim Status Report: The parties shall file an interim status report required no later than **7/31/2023** or sixty-one (60) days prior to the close of discovery.

3. Pre-Trial Order: The parties shall file a joint pretrial order no later than **11/29/2023** or thirty (30) days after the date set for filing dispositive motions. In the event that parties file dispositive motions, the date for filing the joint pretrial order shall be suspended until thirty (30) days after decision on the dispositive motions or further order of the Court. The disclosure required by Federal Rule of Civil Procedure 26(a)(3), made applicable by Federal Rule of Bankruptcy Procedure 7026 and LR 7016(d) and objections thereto shall be made in the pre-trial order.

4. Initial Disclosures: Plaintiff served its initial disclosures on **February 3, 2023**. Defendant will serve initial disclosures on or before **February 10, 2023**.

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5. Extension of Discovery Deadline: Requests to extend the discovery shall comply fully with LR 7026(e). Applications to extend any date set by the discovery plan, scheduling order, or other order must be supported by a showing of good cause for the extension.

The motion or stipulation shall include:

- a. A statement specifying the discovery completed by the parties as of the date of the motion or stipulation;
- b. A specific description of the discovery which remains to be completed;
- c. The reasons why such remaining discovery was not completed within the time limit of the existing discovery deadline; and,
- d. A proposed schedule for the completion of all remaining discovery.

It is not good cause for a later request to extend discovery that the parties informally postponed discovery. Any stipulation that would interfere with any time set for completion of discovery, for hearing of a motion, or for trial, may be made only with approval of the Court.

6. Electronically Stored Information (“ESI”):

The Parties stipulate and agree that all discoverable documents will be produced on CD-ROM in Portable Document Format (“PDF”) with optical text recognition (electronically searchable text) as reasonably practicable. The Parties further agreed that the “parent-child relationships” between documents will be preserved when documents are produced (*e.g.*, e-mails and their attachments will be produced together with consecutive bates numbers) as reasonably practicable.

While the Parties agree at this time that it is not necessary to produce the metadata for electronic documents, the Parties reserve their respective rights to request such information should any Party deem it necessary. This agreement determines only the format in which the Parties produce documents; it does not affect any other right of any Party.

7. Electronic Service. The Parties agree to accept electronic service of discovery requests and responses pursuant to Federal Rule of Civil Procedure 5(b)(2)(E). To the extent discovery requests are served on a Saturday, Sunday, or legal holiday, service will be deemed effective on the next day that is not a Saturday, Sunday, or legal holiday. The parties

discussed whether they intend to present evidence in electronic format to jurors for the purpose of jury deliberations and agreed that should discovery be provided in an electronic format at trial, it will be compatible with the court's electronic jury evidence display system.

8. Protective Orders. Any party may seek to enter into a stipulated protective order pursuant to Federal Rule of Civil Procedure 26(c) prior to producing any confidential documents in its possession.

IT IS SO STIPULATED.

Dated this 25th day of January 2023.

MINCIN LAW, PLLC

COHEN JOHNSON, LLC

/s/ David Mincin

/s/ H. Stan Johnson

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SCHEDULING ORDER

The above-set stipulated Discovery Plan of the parties shall be the Scheduling Order for this action pursuant to Federal Rule of Bankruptcy Procedure 7026 and Local Rule 7026(c).

IT IS SO ORDERED.